

The § 102 (b) Rejection of Claims 12 - 15, 27-29, 31 and 32
as Anticipated by U.S. Patent No. 5,543,789 of Behr et al.

The rejected claims explicitly recite use of a "voice mailbox". More particularly, these claims recite a system and method that allows requested travel directions that are obtained from an informational database to be translated to audio and stored into an identified voice mailbox of a user. Although the Behr reference discusses a "mobile unit" that can "digitally synthesize voice which audibly presents the travel directions to the user" (col. 4, ll. 33-34) it nowhere discloses the use of a voice mailbox for storing the synthesized voice. Accordingly, applicant respectfully submits that Behr does not anticipate claims 12 and 27 - which explicitly recite this advantageous feature - and, therefore, further submits that these claims are patentable over Behr. ✓

Moreover, applicants submit that claims 13-15 which depend from claim 12 and claims 28, 29, 31 and 32, which depend from claim 27 are likewise patentable over Behr based on their respective dependence from claims 12 and 27 and their own further limitations.

Applicant further submits that the claims are not obvious over the Behr reference, alone or in combination with any of the cited references. While the voice synthesizer may provide audible directions, it inherently requires that the mobile unit itself have text-to-voice processing ability, thus significantly driving up the cost and complexity of the mobile device. No such additional complexity is presented by the system and method of the present claims because the voice mailbox can be accessed using, e.g., any cellular telephone (see p. 13, cols. 5 -17 and Fig. 4).

The § 103 Rejection of Claims 6, 8, 16 and 30 as Obvious
over Behr in View of U.S. Patent No. 6,148,260 of Musk et al.

Claims 6, 8 and 16 explicitly recite the use of HTTP emulation to accomplish the claimed method for obtaining and communicating information. The use of HTTP emulation is a salient aspect of the claimed invention insofar as it allows creation of the claimed system and method using existing Internet resources. (See, e.g., p. 9, ll. 8-10; p. 10, ll. 6-11). Behr makes no mention of the Internet, let alone HTTP emulation. Musk, while dealing with an Internet application, does not discuss or even suggest the use of HTTP emulation. Additionally, claims 16 and 30 depend respectively from claims 12 and 27 which, as discussed above, recite the use of a "voice mailbox". Neither Behr nor Musk discuss this feature. Thus, the references fail to present a *prima facie* case of obviousness and, further, offer no motivation to one skilled in the art to combine the references to arrive at the claimed invention.

Applicant presents new claim 33 without amendment, which is a combination of cancelled claims 1, 2 and 6 and new claim 34 without amendment, which is a combination of cancelled claims 1, 2 and 8 and respectfully submits that these claims - in addition to claims 16 and 30 - are patentable over the cited references.

In view of the above amendments and remarks, it is respectfully requested that the application be reconsidered and that all pending claims be allowed and the case passed to issue.

If there are any other issues remaining which the Examiner believes could be resolved through either a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Robert Laurenzi', is written over a horizontal line.

Robert Laurenzi
Reg. No. 45,557
Attorney for Applicants

DARBY & DARBY, P.C.
805 Third Avenue
New York, N.Y. 10022
Phone (212) 527-7700

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: David J. LADD

Serial No.: 09/248,077

Art Unit: 2153

Confirmation No.:

Filed: February 10, 1999

Examiner: A. SALAD

For: SYSTEM AND METHOD FOR TRANSMISSION AND DELIVERY OF TRAVEL INSTRUCTIONS TO INFORMATIONAL APPLIANCES

**MARK-UP FOR AMENDMENT
PURSUANT TO 37 C.F.R. § 1.121**

Hon. Commissioner of
Patents and Trademarks
Washington, DC 20231

May 14, 2001

Sir:

IN THE CLAIMS:

Cancel claims 1-11 and 17 - 26.

Please add the following new claims:

--33. (New) A method for communicating with a wireless informational device comprising the steps of:

receiving an information request and device identification information of said wireless device;

accessing an informational database with said information request;

receiving from the informational database information in response to the information request; and

transferring said responsive information and said wireless identification information to a wireless information distribution system capable of communicating said responsive information to said wireless informational device;

wherein said information request comprises a plurality of geographic locations and said responsive information comprises driving directions between said locations; and

wherein said informational database is Internet-based and is accessed remotely through HTTP emulation.

34. (New) A method for communicating with a wireless informational device comprising the steps of:

receiving an information request and device identification information of said wireless device;

accessing an informational database with said information request;

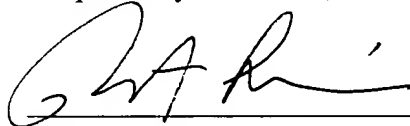
receiving from the informational database information in response to the information request; and

transferring said responsive information and said wireless identification information to a wireless information distribution system capable of communicating said responsive information to said wireless informational device;

wherein said information request comprises a plurality of geographic locations and said responsive information comprises driving directions between said locations; and

wherein said wireless information distribution system is Internet-accessible and wherein accessing of said wireless informational distribution system is accomplished via HTTP emulation.--

Respectfully submitted,



Robert Laurenzi

Reg. No. 45,557

Attorney for Applicants

DARBY & DARBY, P.C.
805 Third Avenue
New York, N.Y. 10022
Phone (212) 527-7700